



Board of Commissioners of Cook County

Report of the Rules and Administration Committee

Wednesday, November 19, 2014

10:00 AM

**Cook County Building, Board Room, Rm. 569
118 North Clark Street, Chicago, Illinois**

SECTION 1

ATTENDANCE

Present: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele (8)

Absent: Commissioner Gainer (1)

PUBLIC TESTIMONY

Chairman asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code, Sec. 2-107(dd).

The Secretary announced that there were no public speakers.

14-6119

JOURNAL OF PROCEEDINGS

COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of Proceedings of the regular meeting held on Wednesday, October 8, 2014.

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this Journal of Proceedings be recommended for approval. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele(8)

Absent: Commissioner Gainer(1)

JOURNAL OF PROCEEDINGS

COOK COUNTY CLERK, David Orr, presented in printed form a record of the Journal of Proceedings of the special meeting held on Thursday, October 9, 2014.

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this Journal of Proceedings be recommended for approval. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele(8)

Absent: Commissioner Gainer(1)

14-5417

Sponsored by: ROBERT STEELE, EDWIN REYES, JERRY BUTLER, JESÚS G. GARCÍA, JOAN PATRICIA MURPHY, DEBORAH SIMS, LARRY SUFFREDIN and JEFFREY R. TOBOLSKI, County Commissioners

310963

AMENDMENT TO THE ETHICS ORDINANCE INTEREST IN COUNTY BUSINESS, CHAPTER 2 ADMINISTRATION, ARTICLE VII, SECTION 2-581 OF THE COOK COUNTY CODE (PROPOSED SUBSTITUTE ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Robert B. Steele and Edwin Reyes, County Commissioners; Co-Sponsored by William M. Beavers, Jerry Butler, ~~John A. Fritchey~~, Jesus G. Garcia, Joan Patricia Murphy, Deborah Sims, Larry Suffredin and Jeffrey R. Tobolski, County Commissioners

PROPOSED SUBSTITUTE ORDINANCE AMENDMENT

AMENDMENT TO THE ETHICS ORDINANCE INTEREST IN COUNTY BUSINESS

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VII Ethics, Section 2-581 of the Cook County Code is hereby amended as follows:

Sec. 2-581. Interest in County business.

(a) No elected official or employee shall have a financial interest in his or her own name or in the name of any other person in any contract, work or business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County. Compensation for property taken pursuant to the County's eminent domain power shall not constitute a financial interest within the meaning of this section. Unless sold pursuant to a process of competitive bidding following public notice, no elected official or employee shall have a financial interest in the purchase of any property that:

- (1) Belongs to the County;
- (2) Is sold for taxes or assessments; or
- (3) Is sold by virtue of legal process at the suit of the County.

(b) No appointed official shall engage in a transaction described in Subsection (a) of this section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities.

(c) Any person who is not a County employee who has a financial interest in his or her own name or in the name of any other person in any contract, work or business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County, shall be ineligible from being hired by the County for employment for a period of one year from the termination of their engagement in the transaction. Compensation for property taken pursuant to the County's eminent domain power shall not constitute a financial interest within the meaning of this section.

(ed) For purposes of this section, the term "financial interest" shall not include the interest of the spouse of an official or employee which interest is related to the independent occupation, profession or employment of the spouse.

Effective Date: This Ordinance Amendment shall be in effect ~~immediately upon adoption~~ on June 1, 2011.

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this Ordinance Amendment be recommended for receiving and filing. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele(8)

Absent: Commissioner Gainer(1)

14-5418

Sponsored by: ELIZABETH "LIZ" DOODY GORMAN

310977

AN ORDINANCE ESTABLISHING A PROHIBITION ON THE HIRING OF ANY PERSON WHO RECEIVES PUBLICLY FUNDED PENSION PAYMENTS IN EXCESS OF \$39,999 PER YEAR (PROPOSED ORDINANCE). Submitting a Proposed Ordinance sponsored by Elizabeth "Liz" Doody Gorman, County Commissioner.

PROPOSED ORDINANCE

AN AN ORDINANCE ESTABLISHING A PROHIBITION ON THE HIRING OF ANY PERSON WHO RECEIVES PUBLICLY FUNDED PENSION PAYMENTS IN EXCESS OF \$39,999 PER YEAR

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 44 Human Resources, Section 44-57 of the Cook County Code is hereby enacted as follows:

Sec. 44-57.Prohibition on employment.

(a) Notwithstanding the provisions of section 44-53 of the Cook County Code with regards to "source of income", no person shall be employed by the County of Cook who is a current retiree of another unit of government and receiving publicly funded pension payments in excess of \$39,999 per year. The provisions of this section apply to retirees of all of the following governmental agencies:

- (1) United States Federal Government;

(2) Any State or territory of the United States;

(3) Any political sub-division of any State or territory of the United States.

(b) For the purposes of the provisions of this section, employment shall not be construed to include any elected official of Cook County Government.

(c) This Ordinance shall be retroactive to January 1, 2010. Any person falling within the scope of subsection (a) of this section who was hired as of January 1, 2010 shall be terminated upon passage of this ordinance.

Effective date: This Ordinance shall be in effect immediately upon adoption.

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this Ordinance be recommended for receiving and filing. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele (8)

Absent: Commissioner Gainer (1)

14-5419

Sponsored by: WILLIAM M. BEAVERS, County Commissioner

310979

AN ORDINANCE ESTABLISHING THE COOK COUNTY AFFIRMATIVE ACTION PROGRAM (PROPOSED ORDINANCE). Submitting Proposed Ordinance by William M. Beavers, County Commissioner.

PROPOSED ORDINANCE

**AN ORDINANCE ESTABLISHING THE COOK COUNTY
AFFIRMATIVE ACTION PROGRAM**

BE IT ORDAINED, Pursuant to Cook County's home rule authority under Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, by the Cook County Board of Commissioners ("County Board") that Chapter 44, Human Resources, Article V, Section 44-140 through 44-145 are hereby inserted into a newly created Article V, entitled the "Cook County Affirmative Action Program" and are thereafter amended and renumbered as follows:

ARTICLE V. COOK COUNTY AFFIRMATIVE ACTION PROGRAM.

44-140. DECLARATION OF POLICY.

It is the policy of the County of Cook (the "County") to provide equal employment opportunities to all qualified persons without regard to their race, religion, color, age, disability, sex, national origin, sexual orientation, marital status, membership in the military reserves, creed, ancestry, arrest or conviction record, or use or nonuse of lawful products away from work. In adhering to this policy, the County complies with the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act of 1990, and other applicable statutes and regulations relating to equal employment

opportunities. This policy represents the County's commitment to a nondiscriminatory work environment for all qualified applicants and employees. The County is an employer that values the diversity of its employees and as such seeks to achieve the goal of hiring and maintaining an overall County workforce of 50% minority, 25% woman and 5% disabled in every County bureau including the following elected officials or otherwise (as hereinafter defined): the Assessor, the Clerk of the Circuit Court, the County Clerk, the Board of Review, the Recorder of Deeds, the Sheriff, the State's Attorney, the Public Defender, the Cook County Health and Hospitals System and the Treasurer.

44-141. DEFINITIONS.

In this Article V entitled "Cook County Affirmative Action Program" --

a. "*Affirmative action*" means, in employment, the screening of position descriptions and selection criteria to ensure the use of appropriate, job-related requirements; comprehensive and inclusive advertising and recruiting efforts; special or targeted recruiting in addition to traditional methods; training plans and programs, including on-the-job training; and gender-neutral and culturally bias-free criteria to be used when making employment decisions relating to recruitment, hiring, performance evaluation, promotion, transfers, training opportunities, compensation and other terms and conditions of employment and termination.

b. "*Diversity*" means, in addition to differences based on ethnicity, gender, age, religion, disability, national origin and sexual orientation, an infinite range of individuals' unique characteristics and experiences, such as communication styles, career, work, life experience, educational backgrounds and other variables. Diversity focuses on tapping the talents of people of different backgrounds, experiences and perspectives as a means of improving the workplace environment and productivity. Diversity awareness works to create an environment that recognizes values and utilizes the unique skills and abilities of all employees. The goal of diversity awareness is to create an inclusive, respectful and equitable work environment.

c. "*Equal employment opportunity*" means the equal and fair treatment of all qualified applicants and employees with regard to county employment practices, including, but not limited to, recruitment, selection, hiring, training, promotion, compensation, benefits, transfers, discipline, terms and conditions of employment, and layoffs.

d. "*Elected Officials or Elected Offices*" means the Assessor, the Clerk of the Circuit Court, the County Clerk, the Board of Review, the Recorder of Deeds, the Sheriff, the State's Attorney, the Public Defender, the Cook County Health and Hospitals System and the Treasurer.

e. "*Minority*" means any person who is one of the following:

- (1) African-American or Black (persons with origins in any of the Black racial groups of Africa);
- (2) Hispanic American (persons of Spanish culture with origins from Puerto Rico, Mexico, Cuba, South or Central America, Spain, Portugal, or the Caribbean Islands regardless of race);
- (3) Native American (American Indian);
- (4) Asian-Pacific American (persons with origins from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the U.S. Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia, Taiwan, or the Indian subcontinent) or
- (5) Any other ethnically or racially identifiable group found by the Contract Compliance Administrator to have suffered actual racial or ethnic discrimination resulting in a competitive disadvantage or decreased opportunities to do business with the County.

f. *"Disabled"* means that same meaning found under the Americans with Disabilities Act of 1990, as amended.

44-142. OFFICE OF DIVERSITY AND OUTREACH OFFICE.

There is established an Office of Diversity and Outreach that shall be budgeted as a department under the Bureau of Human Resources and shall maintain at least five (5) full time equivalents ("FTE") for the purpose of promoting the importance, benefit and necessity of maintaining diversity within the County's workforce and ensuring compliance with applicable policies, ordinances, statutes, laws and executive orders. With the express goal of achieving an overall County workforce of 50% minority, 25% woman and 5% disabled, this Office shall have the following authority and duties pertinent thereto, including but not limited to:

- a. Reviewing and assisting the development of diversity, equal employment opportunity, affirmative action plans of the various County bureaus and Elected Officials to ensure that each plan is consistent with the overall County plan.
- b. Maintaining and reporting to the County Board on a quarterly basis statistics, which include, but are not limited to, the proportion of underrepresented group members at all levels and job classifications in the County's workforce and the availability of qualified underrepresented group members in the labor force of the relevant labor areas. The statistics shall indicate how each group has been affected by new hires, training opportunities, promotions, discipline and terminations.
- c. Counseling employees, managers and others about diversity, equal employment opportunity and affirmative action issues in the workplace.
- d. Facilitating diversity related training programs and workplace mediation.
- e. Receiving and investigating complaints of discriminatory employment practices, workplace violence, or of harassment in the workplace from County employees. If an investigation discloses a violation has occurred, the Diversity and Outreach Officer as defined in Section 44-143 of this Ordinance shall work with bureau chiefs, department heads, managers and Elected Officials to implement corrective action and resolve the situation.
- f. Receiving and filing investigating complaints with the County's Inspector General regarding any employee or applicant who believes that he or she has been discriminated against by the County.
- g. Identifying and maintaining comprehensive and effective recruitment methods that promote a diverse workforce.
- h. Monitoring results of all training, with emphasis on minority, female and disabled recruits.
- i. Participating in performance examinations, job fairs, and recruitment activities at high schools, universities, law schools, chambers of commerce and other locations.
- j. Reviewing all State of Illinois and federal laws, rules and regulations concerning equal employment opportunities to ensure compliance.
- k. Direct participation in the hiring, termination and promotion of each employee of the County including employees of each Elected Official to determine whether such hiring, termination or promotion is promoting this Ordinance's goal of achieving an overall County workforce of 50% minority, 25% woman and 5% disabled.

44-143. DIVERSITY AND OUTREACH OFFICER.

The President of the Cook County Board with the advice and consent of a majority of the County Board shall appoint the Diversity and Outreach Officer to a term of six (6) years. The Diversity and Outreach Officer may be removed by a majority vote of the County Board. The Diversity and Outreach Officer shall manage the day-to-day operations of the Office of Diversity and Outreach; perform complaint intake functions; investigate complaints; serve as the County's Americans with Disabilities Act coordinator; directly participate in the hiring, termination and promotion of each employee of the County including employees of each Elected Official; ensure compliance with applicable ordinances, statutes, laws and executive orders; have responsibility and authority for the development and implementation of a comprehensive diversity, equal employment opportunity and affirmative action plan for the County; and function as the liaison between the County and the media and the community.

44-144. DEPARTMENT DIVERSITY, EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PLANS.

Beginning thirty (30) days after the effective date of this Ordinance, each County bureau and each Elected Official shall submit and present to the County Board and the Diversity and Outreach Officer its present racial, gender and disabled employment make-up and its diversity, equal employment opportunity and affirmative action plan to achieve in their bureau or elected offices a workforce of 50% minority, 25% woman and 5% disabled. Thereafter, each County bureau and each Elected Official shall submit and present every year to the County Board and the Diversity and Outreach Officer its racial, gender and disabled make-up for that fiscal year and its diversity, equal employment opportunity and affirmative action plan to achieve in their bureau or Elected Offices a workforce of 50% minority, 25% woman and 5% disabled.

44-145. IMPLEMENTATION.

a. *Recruitment.* In collaboration with the Diversity and Outreach Officer, the Director of Human Resources and all Elected Officials shall practice comprehensive and inclusive advertising and recruiting efforts, which may include special recruiting targeting previously underrepresented groups in addition to traditional recruiting methods, and report such recruitment findings to the County Board every year.

b. *Training.* In collaboration with the Diversity and Outreach Officer, the Director of Human Resources and all Elected Officials shall develop training plans and programs, including on-the-job training, designed to develop the knowledge, skills and abilities essential for developing each employee's fullest potential. The Diversity and Outreach Officer shall develop and provide relevant training to each County bureau and Elected Officials to increase employees' knowledge and awareness of laws and regulations, as well as the County's policies relating to diversity, equal employment opportunity, affirmative action and respecting diversity in the workplace. The Director of Human Resources and each Elected Official shall report their training findings to the County Board each year.

c. *Testing, Selection, Placement and Promotion.* The Diversity and Outreach Officer shall review the County testing, selection, placement and promotion policies of each bureau and each Elected Official to ensure that they comply with applicable laws and regulations relating to the goal achieving a workforce consisting of 50% minority, 25% woman and 5% disabled.

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this Ordinance be recommended for receiving and filing. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele (8)

Absent: Commissioner Gainer (1)

ADJOURNMENT

A motion was made by Vice Chairman Gorman, seconded by Commissioner Silvestri, that this meeting be adjourned. The motion carried by the following vote:

Ayes: Chairman Suffredin, Vice Chairman Gorman, Commissioners Daley, Fritchey, Schneider, Silvestri, Sims and Steele (8)

Absent: Commissioner Gainer (1)

SECTION 2

YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION WITH REGARD TO THE MATTERS NAMED HEREIN:

File Id Number 14-6119
File Id Number 14-6180
File Id Number 14-5417
File Id Number 14-5418
File Id Number 14-5419

Recommended for Approval
Recommended for Approval
Recommended for Receiving and Filing
Recommended for Receiving and Filing
Recommended for Receiving and Filing

Respectfully submitted,


Chairman


Secretary

*A video recording of this meeting is available at <https://cook-county.legistar.com>